

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

<u>LAURIE GILBERT,</u>)	
Plaintiff,)	
)	
v.)	Civil Action No. 05-10746-RWZ
)	
JOHN HEGGARTY and TIMOTHY DUBE)	
)	
<u>Defendants.</u>)	

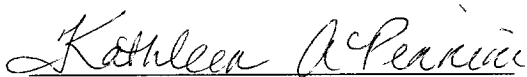
ASSENTED-TO MOTION TO CONTINUE PRE-TRIAL CONFERENCE

Now comes Defendants, John Heggarty and Timothy B. Dube (hereinafter, "the Defendants") and move this Honorable Court to continue the pre-trial conference scheduled for Thursday, July 27, 2006. As basis for this Motion is as follows:

1. The Defendants recently received the remainder of the Plaintiff's written discovery and have been processing such information to determine if a settlement offer will be made.
2. The parties are engaged in discussions to see whether a settlement may be reached.
3. Counsel for the Defendants informed the Plaintiff's counsel that she had a medical appointment that conflicted with the scheduled pre-trial conference, and requested a continuance of the conference.
4. Counsel for the Plaintiff assented to this request.
5. Counsel for the parties will immediately file a status update with the Court.
6. This motion is made in good faith and not for the purpose of obstruction or delay.

WHEREFORE, the Defendants, John Heggarty and Timothy Dube, respectfully request a continuation of the pre-trial conference.

Respectfully Submitted,
For the Defendants,
JOHN HEGGARTY and
TIMOTHY DUBE,
By their attorneys,



Kathleen A. Pennini
Dwyer, Duddy and Facklam
Attorneys at Law, P.C.
Two Center Plaza, Suite 430
Boston, MA 02108
617-723-9777

CERTIFICATE OF SERVICE

I, Kathleen A. Pennini, do hereby certify that a true copy of the foregoing document has been served via first class mail, postage prepaid and electronically, this 16th day of July 2006, upon:

Richard N. Foley, Esquire
414 State Street
Portsmouth, NH 03801.


Kathleen A. Pennini